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Attorneys for Intervenors COALITION FOR
POLICE ACCOUNTABILITY, RASHIDAH
GRINAGE, SAIED KARAMOOZ, ANNE JANKS
AND JOHN JONES, III

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

DELPHINE ALLEN, et al.,)	CASE NO. C00-cv-04599-WHO
Plaintiffs,)	
v.)	DECLARATION OF PAMELA A. DRAKE IN
)	SUPPORT OF THE INTERVENORS'
)	MOTION TO INTERVENE AS OF RIGHT, OR
CITY OF OAKLAND, et al.,)	IN THE ALTERNATIVE, PERMISSIVE
)	INTERVENTION
Defendants.)	
)	DATE: MAY 8, 2019
)	TIME: 2:00 P.M.
)	DEPT: 2, 17 TH FLOOR

I, PAMELA A. DRAKE, hereby declare:

1. I make this Declaration on personal knowledge in support of the Coalition for Police Accountability and other community representatives' Motion to intervene in this action.

2. I am a resident of Oakland, California. I have lived in Oakland for 36 years, and I have lived and worked in various neighborhoods including some that are often subjected to intense and armed law enforcement operations. I have observed police activity in my neighborhood, police vehicles speeding and driving recklessly in the streets in my neighborhood including near the Lakeshore retail district where I reside now.

1 3. During the time that I have lived in Oakland, I have participated in a number of
2 community organizations and civic activities. I was a neighborhood representative of Oakland
3 Community Organizations (OCO), a PICO member organization, a teacher and counselor in East
4 Oakland, staff to 2 Central East Oakland City Councilmembers, the Director of a neighborhood
5 center and community policing office, a member of Oakland's first Community Policing Advisory
6 Board, a reporter for Oakland Local before developing my own blog on life in Oakland, and the
7 Director of a Business Improvement District after being President of my merchant association.

8 4. I have also represented residents of Oakland as a member of various commissions
9 and committees including as a member of the Alameda County Labor Council and currently as an
10 elected member of the Alameda County Democratic Party for Assembly District 18. I am a member
11 of the Coalition for Police Accountability and currently serve as its President.

12 5. I participated in the community movement to pass Measure LL, the enabling
13 legislation to create an independent police commission in Oakland. I was involved in the initial
14 discussions and on the steering committee of the campaign, meeting with councilmembers, the city
15 attorney and organizing press coverage of the campaign. I believe that community involvement at
16 this stage of the Negotiated Settlement Agreement ("NSA") will expedite the transformation of our
17 police department and dramatically improve community-police relations. I believe that community
18 representation is essential to address the impact that the NSA is having on our community.

19 6. As a resident of Oakland, I am very concerned about lawless police misconduct,
20 particularly when it results in physical harm or death to persons present in our City. I am very
21 concerned about unconstitutional misconduct by our police, including the use of excessive force,
22 racial profiling, perjury and the obstruction of justice. I am acutely aware that I risk of the violation
23 of my constitutional rights anytime I encounter an OPD officer.

24 7. In the past sixteen years, I have interviewed and counseled those impacted by OPD's
25 unconstitutional conduct in my work and in my home. Other members of my immediate family live
26 in Oakland. They too are at risk of death or injury at the hands of OPD.

27 8. As a resident of Oakland, a homeowner, and former small business owner, I have
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1 paid property taxes, sales taxes and business taxes. I am very aware and concerned that for the past
2 sixteen years, my tax dollars have been used to pay for the monitoring activities mandated by this
3 Court pursuant to the NSA.

4 9. I was shocked and stunned by the killing in North Oakland of Joshua Pawlik in
5 March 2018. In March 2019, I learned of the circumstances under which Mr. Pawlik died. When I
6 learned from the public disclosure of the OPD investigation and Chief Anne Kirkpatrick's
7 disciplinary actions, I was extremely upset and ashamed and felt compelled to intervene in this
8 lawsuit. Prior to the release of the documents about the death of Joshua Pawlik, another man lost
9 his life in a similar way in my neighborhood, Demouria Hogg, but I had hoped that a new chief
10 would not allow something like that to happen again. The actions of Chief Kirkpatrick have
11 permanently damaged my trust in her leadership.

12 10. I fully support the request by the Coalition for Police Accountability for the
13 Court-appointed Monitor Robert Warshaw to terminate Chief Anne Kirkpatrick. None of the
14 parties to the litigation have requested Chief Kirkpatrick's termination. I agree with Mr. Warshaw's
15 assessment that Chief Kirkpatrick's analysis of the use of force that resulted in the death of Joshua
16 Pawlik is disappointing and myopic. As a resident of Oakland, I should be able to expect movement
17 toward completing the NSA, instead of movement in the other direction. This chief cannot lead
18 OPD to complete the tasks required of it.

19 11. None of the parties to this action are taking the appropriate steps to reduce the
20 amount of money that the City is paying for the enforcement of the NSA. None of the parties to the
21 litigation have been able to effectively curtail the use of excessive force by OPD or the amount of
22 racial profiling that occurs every day in our City. I have personally spoken to the various attorneys
23 representing the parties, including Jim Chanin and John Burris, and shared my concerns about the
24 NSA and the lack of sustainable progress.

25 I declare under penalty of perjury under the laws of the State of California and the United
26 States that the foregoing is true and correct. If called as a witness, I could and would testify
27 competently to the matters stated in this Declaration.
28

Executed in Oakland, California on April 1, 2019.

/s/ *Pamela A. Drake*
PAMELA A. DRAKE, Declarant